

THIS NEW RULE RECEIVED FINAL APPROVAL BY THE UTAH STATE BOARD OF EDUCATION ON MAY 3, 2007. THE RULE HAS BEEN FILED WITH THE DIVISION OF ADMINISTRATIVE RULES AND IS SCHEDULED TO BE PUBLISHED IN THE JUNE 1, 2007 UTAH STATE BULLETIN, SUBJECT TO A 30-DAY COMMENT PERIOD, WITH A FIRST POSSIBLE EFFECTIVE DATE OF JULY 9, 2007.

R277. Education, Administration.

R277-488. Critical Languages Pilot Program.

R277-488-1. Definitions.

A. "ACTFL OPI" means the American Council of Teachers of Foreign Language Oral Proficiency Interview which is a test, both written and verbal, offered at most Utah colleges and universities.

B. "Board" means the Utah State Board of Education.

C. "Critical language" means those languages described under Section 53A-15-104(1).

D. "Critical language program" means the enhanced EDNET program and the international teacher exchange program as defined and funded under Section 53A-15-104.

E. "EDNET" means the state's two-way interactive system for video and audio, delivered and available to students in the state's public education system, as defined under Section 53A-15-104(2).

F. "Electronic High School" means the state's electronic high school program explained in Section 53A-17a-131.15 and R277-725.

G. "Foreign exchange student" means a student sponsored by an agency approved by the school district's local school board or charter school's governing board, subject to the limitations of Section 53A-2-206(2).

H. "Language facilitator" means a paraprofessional or licensed educator who is fluent in the critical language being taught by EDNET and who is designated to participate in the Critical Languages Pilot Program established under Section 53A-15-104.

I. "Credentialed international teacher" means a teacher sponsored under a separate Memoranda of Understanding between the USOE and China, Spain or Mexico. The Memoranda of Understanding are hereby incorporated by reference. Sponsored teachers shall satisfy all conditions of the Memoranda of Understanding prior to working with Utah students.

J. "USOE" means the Utah State Office of Education.

R277-488-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, by Section 53A-15-104 which directs the State Superintendent of Public Instruction and the Board to establish, administer, and track a Critical Languages Pilot Program

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and authorizes a pilot program, and by Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to establish criteria and procedures for distributing funds to high schools participating in the Critical Languages Pilot Program. The intent of this appropriation is to increase the number of students who reach proficiency in a critical language as well as build overall foreign language capacity in the state of Utah.

R277-488-3. Critical Language Program Requirements.

A. A high school that desires to participate in the Critical Languages Pilot Program (enhanced EDNET or international teacher exchange program) shall submit an application, provided by the USOE and available each April 15 to the USOE by May 15.

B. The application shall provide:

(1) an identified, available classroom within the school district or charter school where EDNET can be accessed or an identified credentialed international teacher teaching under a USOE/foreign country Memorandum of Understanding;

(2) a plan and procedure in place to notify students and parents of the availability of at least one critical language course identified in Section 53A-15-104(1);

(3) for schools using enhanced EDNET delivery, a qualified language facilitator hired and available to students who:

(a) is fluent in the critical language being taught;

(b) has established his fluency by receiving a score of intermediate high or higher on an ACTFL OPI test or USOE-approved equivalent;

(c) is qualified as a paraprofessional under R277-524; or

(d) is a Utah licensed educator; and

(e) has completed a criminal background check including review of identified offenses by the school district or charter school.

(4) requirements for the international teacher exchange program:

(a) programs shall operate under a Memorandum of Understanding;

(b) international teacher expenses shall be paid as provided by the designated Memorandum of Understanding;

(c) all other conditions provided by individual Memoranda of

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Understanding shall be satisfied.

C. Schools applying for both the enhanced EDNET and the international teacher program shall provide identified materials, including texts and consumables, purchased with funds appropriated by the Legislature.

R277-488-4. USOE Responsibilities and Funds.

A. Applications shall be provided by the USOE.

B. High schools shall be selected for funding based on an evaluation of applications by a USOE-designated committee which shall include statewide experts.

C. Awards shall be made to individual high schools and funds allocated to school districts and charter schools to be fully distributed to designated high schools.

D. Each high school selected for funding shall receive a base allocation per critical language offered at the high school, designated in Section 53A-15-104(6)(a).

E. Each high school selected for funding shall receive a supplemental allocation designated in Section 53A-15-104(6)(b).

(1) School districts and charter schools approved for participation under this rule shall receive funds for students who complete a critical language course with a grade of C or better by June 15;

(2) High schools shall receive additional funding for foreign exchange students enrolled in a high school who complete a critical language course, as designated in Section 53A-15-104(6)(c) and consistent with R277-612.

F. Based on available funds, high schools shall receive six years of ongoing funding.

G. Schools eligible for funding shall be notified by the USOE by June 1, 2007.

R277-488-5. Evaluation and Reports.

Each high school selected for funding shall be required to submit an annual evaluation report to the USOE consistent with Section 53A-15-104 and, if applicable, the requirements of the international teacher exchange program covered by the Memorandum of Understanding. The USOE may request additional data from high schools that receive funding.

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KEY: critical languages

Date of Enactment or Last Substantive Amendment: 2007

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-15-104; 53A-1-401(3)